



0310

PATENTCERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Nancy E. Yorke
NameNancy E. Yorke
SignatureApril 18, 2002
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Daggett, et al.

Serial No.: 10/038,937 - Case No.: SD9383DDA

Filed: January 4, 2002

For: HUMAN N-METHYL-D-ASPARTATE RECEPTOR
SUBUNITS, NUCLEIC ACIDS ENCODING SAME
AND USES THEREFOR

Art Unit:
1646Examiner: Unknown
Examiner (Parent):
J. UlmAssistant Commissioner for Patents
Washington, D.C. 20231**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

Sir:

This is in response to the outstanding Notice to File Corrected Application Papers dated February 21, 2002, in the above identified application, having a TWO (2) month period for response which expires April 21, 2002. Applicants respectfully request that the Examiner consider the following remarks.

REMARKSSequence Listing

The receipt of the Notice to Comply is hereby acknowledged.

In response thereto, Applicants respectfully submit that the paper copy of the Sequence Listing in this application, Serial No. 10/038,937 is identical to that filed in Serial No. 09/935,105, filed September 29, 1997, which, in turn is a Divisional of 08/231,193, filed April 20, 1994 and as such it is identical to the computer readable copy of the Sequence Listing filed in application Serial No. 09/935,105 and 08/231,193, now U.S. Patent No.

5.849.895. A CRF and a paper copy of the sequence listing in 09/935,105 was filed on or about August 11, 1998.

In accordance with 37 CFR 1.821(e). Applicants respectfully request that the computer readable form (CRF) filed in application Serial No. 09/935,105 be used as the computer readable form (CRF) for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper copy of the Sequence Listing, which was included in the originally filed specification of the instant application, is appended hereto.

The undersigned, who is the attorney in charge of this case, hereby states that, to the best of his knowledge, the information on this attached paper copy is identical to the sequence in the subject application, as well as on the CRF submitted to the United States Patent and Trademark Office on or about August 11, 1998. To the best of the undersigned's knowledge, no new matter is presented.

Substitute Specification

This is in response to the Notice To File Corrected Application Papers dated February 21, 2002. Enclosed please find a substitute specification in compliance with 37 CFR 1.52 that contains the proper margins (Exhibit A).

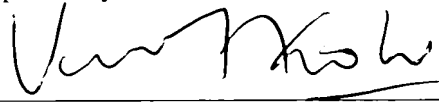
In addition, enclosed please find a second substitute specification incorporating all changes made in the Preliminary Amendment filed on January 4, 2002, and the Second Preliminary Amendment, filed concurrently herewith (Exhibit B).

A paper copy of the amended Sequence Listing as filed in 09/935,105 is also attached hereto (Exhibit C).

If the Examiner believes that a telephone conference would be of value, he is requested to call the undersigned counsel at the number listed below.

Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

By 

Vineet Kohli
Reg. No. 37,003
Attorney for Applicant
MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-3889

Date: 4 / 18 / 02